

USSN 10/613,370

Reply to Office Action dated: April 18, 2006

Amendment D dated: June 21, 2006

REMARKS/ARGUMENTS

Attached with our Amendment C is a Change of Address for the two (2) inventors to advise the United States Patent and Trademark Office of the new addresses of both of the inventors.

In the Office Action dated April 18, 2006 the Examiner has indicated that claims 1-14, 16, 17, 19 and 20 are allowed. Claims 22 and 23 stand rejected. Claims 23 and 24 are objected to. New claims 25 and 26 correspond to claims 23 and 24 only with claim 25 being rewritten into independent form in view of the objection made by the Examiner that claims 23 and 24 were dependent upon rejected claims and would be allowed if rewritten so that new claim 25 is in independent form (which corresponded to former claim 23) and new claim 26 corresponds to allowable claim 24, in accordance with the requirements of the Examiner on page 3 of the Office Action of April 18, 2006 under the caption: "Allowable Subject Matter".

Reply To Rejection Of Claims 21 And 22 Based On The Tenaka Japanese Patent No. JP 11002064 A

The only claims remaining for consideration are rejected claims 21, 22, 23 and 24. Claims 21 and 22 have been rejected based on 35 U.S.C. 103(a) for the reasons stated on pages 2 and 3 of the Office Action.

Claims 21 and 22 have been amended to more distinctly define structural relationships and the manner of operation not found in the Tenaka Japanese Patent cited by the Examiner.

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Applicants' attorney wishes to thank the Examiner for forwarding an English translation of this Japanese patent which has assisted applicant's attorney in preparing this Amendment D in response to the outstanding Office Action.

It will be seen from the amendments made to claim 21 that the orientation of the cable with the pulley has been redefined and the comments that follow as made by the inventors further point out the advantages of the applicants' claimed device over the prior art. In addition, it will be further understood that the new language introduced into claims 21 and 22 can be found basically on pages 12 and 13 of the patent specification, thus providing antecedent support for the language used. Also attention is made to the patent drawings and the illustrations in Figures 6-11, inclusive.

The underlined portions of claims 21 and 22 appearing on pages 9 and 10 of this Amendment D define relationships which are not believed to be shown or suggested in the cited Tenaka Japanese patent.

The inventors provide the following statements with regard to the Tenaka automatic sliding door closure mechanism to point out the reasons why this Japanese patent is not anticipatory of rejected claims 21 and 22. Independent claims 21 and claim 24 have now been amended to provide further emphasis on certain distinguishing features as noted by the underlining appearing in the claims on pages 10 and 11.

Applicants' Comments Regarding The Tenaka Japanese Patent

Following are the applicants' comments regarding the difference between their invention and the invention described in the Tenaka Japanese Patent No. JP 11002064A.

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The Examiner's rejection of claims 21 and 22 in the Office Action dated April 18, 2006 are addressing the way the cable in applicant's invention are connected to the tensioning means. Claims 21-24 have been amended to further describe the improved closure device over the prior art and the newly cited Tenaka Japanese patent. Applicants state that these amended claims now state that in their closure device the cable has one end connected to the top of the **horizontal** door jamb and the other end is connected to a pulley. Then, the cable is fully wound with multiple turns on the pulley. During this operation, the cable winds and unwinds off the pulley, as now claimed.

In contradistinction, in the Tenaka Japanese patent the cable has one end connected to a **vertical** door jamb. Then, in the middle the cable is wound one time around the pulley and then the other end of the cable is attached to the other (opposite) **vertical** door jamb. This operation is a completely different mechanical operation on the tensioning means.

In applicants' claimed invention, they have a direct connection so that the cable would never slip on the pulley. In Tenaka's product, the pulley is rotated by a friction force. It is also visually unsightly by having a cable visible from one side of the door to the other.

In addition, in applicants' closure device the first gear is made up of a pulley, a gear and a spring. The first gear meshes with the second gear. The second gear is comprised of a gear and one or two springs, depending on the force that needs to be created.

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In Tenaks the gist gear contains a pulley, gear, and a spring. The first gear meshes with the second gear. The second gear contains a gear, and dampening mechanism that works on a rotational method. Also, the Tenaks patent just states that it has a dampening mechanism that works with oil. His patent does not address how the dampening mechanism is designed. The assumption is that some kind of "fan blade" rotates in the enclosed oil compartment causing a dampening action.

In applicants' closure device the dampening action is achieved through a linear motion by a pump-like mechanism that is attached to the housing body.

Although visually the products look similar and both use a coil spring to achieve a closing motion, both products are mechanically different in the way that they are designed internally, in the way that they are mounted to the door, and in the way that they achieve a dampening action to keep the door from slamming into the vertical door jamb.

With respect to claims 23 and 24, the Examiner has indicated that these claims contain allowable subject matter and therefore these claims should be approved since they now depend from claims 21 and 23, respectively, which are now believed to be allowable and therefore avoid the rejection of being dependent upon claims that have been rejected. It should be noted that the dependency of claim 23 has been changed from 22 to 21.

Applicants respectfully request reconsideration of each and every ground of rejection and objection.

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Applicants request that if any Government fee is owed for filing this Amendment D, then such fee should be charged to applicants' attorney's Deposit Account No. 502063.

Accordingly, applicants believe this application to now be in condition for allowance and request that a Notice of Allowance be issued.

Respectfully submitted,



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